

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STONEY RAY MENDENHALL,)
vs.)
Plaintiff,)
vs.) NO. CIV-24-0872-HE
CAPTAIN JOSIE, et al.,)
Defendants.)

ORDER

Plaintiff Stoney Ray Mendenhall brought this action alleging violations of his constitutional rights. Pursuant to 28 U.S.C. § 636(b)(1)(B),(C), the matter was referred to Magistrate Judge Chris M. Stephens for initial proceedings. On December 5, 2024, Judge Stevens issued a Report and Recommendation recommending the court dismiss this case without prejudice based on plaintiff's failure to comply with the court's orders. Plaintiff was advised of his right to object to the Report and Recommendation by December 26, 2024. No objection has been filed. Plaintiff has therefore waived his right to appellate review of the factual and legal issues addressed in the report. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #11] and **DISMISSES** plaintiff's complaint without prejudice based on plaintiff's failure to follow the court's orders.

IT IS SO ORDERED.

Dated this 13th day of January, 2025.



JOE HEATON
UNITED STATES DISTRICT JUDGE